

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1753 – HB 2200

February 3, 2022

SUMMARY OF BILL: Expands the offense of vehicular homicide to include driving while impaired by fatigue.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-13-213(a)(1)-(4), vehicular homicide is the reckless killing of another by the operation of an automobile, airplane, vessel or other motor vehicle as the result of:
 - Conduct creating a substantial risk of death or serious bodily injury to a person;
 - The driver or operator's intoxication;
 - As the proximate result of conduct constituting the offense of drag racing; or
 - The driver's conduct in a posted construction zone where the person killed was an employee of the department of transportation or a highway construction worker
- The proposed legislation expands such an offense to include the driver's ability to operate a motor vehicle while being impaired by fatigue, as evidenced by falling asleep while driving or had been without sleep for 24 or more consecutive hours.
- Vehicular homicide expanded under the proposed legislation will be prosecuted as a Class E felony.
- This analysis assumes individuals charged with vehicular homicide by fatigue pursuant to this legislation would be charged with the Class E felony offense of criminally negligent homicide pursuant to Tenn. Code Ann. § 39-13-212 under current law.
- Any impact to state or local incarceration is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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